



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8  
999 18<sup>TH</sup> STREET - SUITE 500  
DENVER, CO 80202-2466

2005 NOV 16 AM 8:25

DOCKET NO.: SDWA-08-2005-0042

FILED  
EPA REGION VIII  
HEARING CLERK

IN THE MATTER OF: )  
)  
BUCKHORN BAR & GRILL LLC. ) FINAL ORDER  
)  
RESPONDENT )

Pursuant to Section 22.18(a) of the United States Environmental Protection Agency's ("EPA"), *Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties, Issuance of Compliance or Corrective Action Orders, and Termination or Suspension of Permits* ("Consolidated Rules"), 40 C.F.R. §22.18(a), the respondent has elected the "Quick Resolution" of this matter by payment of the full penalty proposed in the complaint. Full payment of the \$ 1,250.00 proposed penalty has been received by the Agency.

The subject complaint does not seek a compliance or corrective action order, or Permit Action; and the proceeding is not subject to the public comment provisions of §22.45 of the **Consolidated Rules**; therefore, quick resolution is immediately available.

Full payment of the \$1,250.00 penalty proposed in a complaint shall only resolve respondent's liability for Federal civil penalties for the violations and facts alleged in the complaint.


Payment of the penalty shall not in any case affect the right of the Agency or the United States to pursue appropriate injunctive, or other equitable relief, or criminal sanctions for any violations of law.

Payment of the penalty shall constitute a waiver of respondent's right to contest the allegations and to appeal the final order.

This final order does not waive, extinguish, or otherwise affect respondent's obligation to comply with all applicable provisions of the Act and regulations promulgated thereunder.

This Final Order constitutes the final Agency action in this matter and is effective upon filing.

SO ORDERED this 16<sup>th</sup> Day of November, 2005.

  
Alfred C. Smith, Regional Judicial Officer



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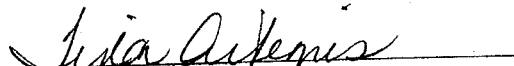
## CERTIFICATE OF SERVICE

The undersigned certifies that the original of the attached **QUICK RESOLUTION SETTLEMENT FINAL ORDER** in the matter of **BUCKHORN BAR & GRILL LLC.**, **DOCKET NO.: SDWA-08-2005-0042** was filed with the Regional Hearing Clerk on November 16, 2005.

Further, the undersigned certifies that a true and correct copy of the document was delivered to Michelle Marcu, Enforcement Attorney, U.S. EPA - Region 8, 999 18th Street - Suite 300, CO 80202-2466. True and correct copies of the aforementioned document was placed in the United States mail certified/return receipt on November 16, 2005, to:

Steven Macziewski, Registered Agent  
Buckhorn Bar and Grill LLC  
25380 N. U.S. Hwy. 85  
Newcastle, WY 82701

November 16, 2005

  
Tina Artemis  
Regional Hearing Clerk